

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

JACOB EVERETT HENRY,

Plaintiff,

v.

Case No: 2:20-cv-461-JLB-MRM

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER

On July 23, 2021, the Magistrate Judge entered a Report and Recommendation (“R&R”) in this case, recommending that Plaintiff’s Unopposed Petition for EAJA Fees Pursuant to 28 U.S.C. 2421(d) (Doc. 26) be granted in part and denied in part. (Doc. 27.) Specifically, the R&R recommended that the Court award Plaintiff \$8,689.24 in attorney’s fees, \$400 in costs, and \$21.15 in expenses. (Id. at 8.) Neither party has objected and the time to do so has expired.

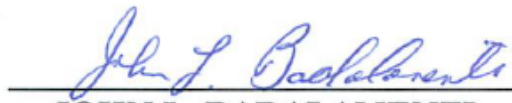
A district judge may accept, reject, or modify the magistrate judge’s R&R. 28 U.S.C. § 636(b)(1)(C). The factual findings in the R&R need not be reviewed de novo in the absence of an objection, but legal conclusions are always reviewed de novo. Id.; Cooper-Houston v. Southern Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993).

After an independent review of the record—and noting that no objections have been filed—the Court agrees with the well-reasoned R&R.

Accordingly, it is **ORDERED**:

1. The R&R (Doc. 27) is **ADOPTED**.
2. Plaintiff's Unopposed Petition (Doc. 26) is **GRANTED IN PART** and **DENIED IN PART**. The Court awards Plaintiff \$8,689.24 in attorney's fees, \$400 in costs, and \$21.15 in expenses.
3. If the United States Department of the Treasury determines that Plaintiff does not owe a federal debt, the Government is **DIRECTED** to pay these amounts directly to Plaintiff's counsel.
4. The Clerk is **DIRECTED** to enter an amended judgment accordingly.
5. The Unopposed Petition (Doc. 26) is **DENIED** to the extent it seeks any greater or different relief than this Order grants.

ORDERED at Fort Myers, Florida, on August 9, 2021


JOHN L. BADALAMENTI
UNITED STATES DISTRICT JUDGE